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**PRESS RELEASE**

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## **CPUC INVESTIGATIONS RESULT IN ENFORCEMENT ACTIONS AND FINES IMPOSED ON VARIOUS MOVING COMPANIES**

SAN FRANCISCO, April 24, 2013 – The California Public Utilities Commission (CPUC), in its ongoing commitment to consumer protection and safety, has recently taken a number of actions to protect consumers from illegally operating moving companies.

During the first quarter of 2013, the CPUC took the following enforcement actions against moving companies for violations of the Public Utilities Code and CPUC rules and regulations, including Maximum Rate Tariff 4 (MAX 4), which contains maximum rates that carriers must observe as well as rules and regulations governing intrastate moves.

### **Administrative Citations**

- **Bartle Brothers Moving, Inc., based in San Diego** (MTR 189253), was fined \$1,000 for operating with revoked authority, failing to procure and maintain cargo insurance and worker's compensation insurance, and Various Max 4 violations.
- **Juan Carlos Jaimes dba JB Deliveries and Moving, based in Cathedral City** (Unlicensed), was fined \$1,000 for operating without a permit.
- **Gavriel Abitul dba Always 4 U Moving & Storage, based in Gardena** (MTR 190860), was fined \$2,250 for failing to issue combined agreements for moving services showing all required information, failing to include a Not to Exceed Price, failing to assess and charge proper rates, and failing to itemize and account for packing materials and container charges.
- **Richard Danielson dba Sunshine Boys Moving, based in Los Angeles** (MTR 190472), was fined \$1,300 for failing to produce records, failing to retain the Important Notice About Your Move records, and operating and advertising without a household goods permit in effect.

### **Phone Disconnections**

As part of its ongoing efforts to clamp down on illegal moving companies, the CPUC had telephone service shut off to three moving companies operating in California without a household goods



permit. These companies continued to advertise and hold themselves out to engage in the business of transporting used household goods, notwithstanding CPUC directives to immediately cease and desist unlawful acts and to obtain a household goods permit.

- 1. Aguenda Dominguez dba Al's Moving & Delivery, based in La Quinta (Unlicensed):** Advertised and offered household moving services utilizing business cards without a permit. The advertisement listed one phone number. Notwithstanding CPUC Cease and Desist notices directing the company to immediately cease all unlawful advertisements and operations, the company continued to violate the law. On January 17, 2013, the CPUC obtained a Finding of Probable Cause signed by a Riverside County Superior Court Judge. The Finding ordered disconnection of telephone service to the telephone number advertised and used by the company to violate laws in the State of California
- 2. Desi Movers, Inc.:** Advertised and offered household goods moving services on the Internet. The advertisements listed one phone number. Notwithstanding CPUC Cease and Desist notices directing the company to immediately cease all unlawful advertisements and operations, the company continued to violate the law as evidenced by advertisements on the Internet. On February 1, 2013, the CPUC obtained a Finding of Probable Cause signed by an Alameda County Superior Court Judge. The Finding ordered disconnection of telephone service to the phone number advertised and used by the company to violate laws in the State of California.
- 3. Jarvis Cox dba Keep it Moving Movers and Hire Some Movers, based in Sacramento (Unlicensed):** Advertised and offered household goods moving services on Craigslist and elsewhere on the Internet. The advertisements listed one phone number. Notwithstanding CPUC Cease and Desist notices and oral communication directing the company to immediately cease all unlawful advertisements and operations, and notwithstanding a prior termination of telephone service, the company continued to violate the law. On February 27, 2012, the CPUC obtained a Finding of Probable Cause signed by a Sacramento County Superior Court Judge. The Finding ordered disconnection of telephone service to the number advertised and used by the company to violate laws in the State of California.

## **Criminal Actions**

**MTF Relocation, Inc. dba Best Local Relocation, based in San Jose (MTR 190354-Revoked):** The CPUC participated in a multiagency taskforce along with the Santa Clara District Attorney's office, the FBI, the Department of Transportation, Immigration and Customs Enforcement, Weights and Measures, and other agencies targeting problem moving companies in Santa Clara County. A search warrant was executed on MTF's place of business. Oren Avitan, owner of MTF, was not present and fled the country. Employee Rodney Duque was arrested and charged with 32 counts of conspiracy and grand theft. A preliminary hearing was held in November 2011 in the Superior Court of Santa Clara County for Duque and five charges were dropped due to an inability to locate some of the victims. Duque was held to answer on 26 of the 27 remaining counts. Duque received a sentence of 16 months in jail and was ordered to pay restitution.



**ASAP Relocation, Inc. dba America's Best Movers, based in San Jose** (MTR 189718 Revoked), Case PSG 2079: ASAP Relocations was the target of a multiagency taskforce along with the Santa Clara District Attorney's office, the FBI, the Department of Transportation, Immigration and Customs Enforcement, Weights and Measures, and other agencies targeting problem moving companies in the Santa Clara County. Owner Roni Hayon and others were arrested and released on bond. On September 19, 2012, the CPUC further assisted in serving a search warrant on Hayon's accountant. The CPUC assisted in finding additional documents belonging to other companies that are under investigation, and also assisted in providing information needed to amend the search warrant to confiscate those documents. The company's permit has been revoked. A criminal case was presented to a grand jury and indictments were handed down.

### **Overcharges and Refunds**

The CPUC assisted and/or directed moving companies to refund consumers more than \$13,000 for overcharges and other violations of the Maximum Rate Tariff 4

### **Official Notice**

The following three companies were issued an Official Notice for advertising and operating without a permit.

1. Mike Russell dba Mr. Mover's Moving Assistance, Antioch (Unlicensed)
2. Joshua Silva dba Coastal Moving, San Diego (MTR 190132)
3. Cesar Fernandez dba Moving Cesar and Moving and Labor Cesar, Oakland (Unlicensed)

### **Cease and Desist Notice**

Thirteen companies were issued a Cease and Desist notice for operating and advertising without a valid permit (unlicensed, revoked, or denied).

Companies issued a Cease and Desist notice notice:

1. Dan Dubow dba Dan the Mover, Castro Valley (Unlicensed)
2. David Clark dba Best Moving Company, Gardena (Unlicensed)
3. Continental Relocations Inc., Gardena (MTR 190629)
4. A Guy and A Truck Moving, Los Angeles (Unlicensed)
5. Valdiviezo dba Mudanzas by Jorge, Daly City (Unlicensed)
6. Robert Reagan dba SF Dependable Movers, San Francisco (Unlicensed)
7. Wolfgang Christian Dykow dba Superstar Service, Santa Clara (Unlicensed)
8. Josh Smith dba Bay Area Pro Moving, Bay Area Movers Express, Fast Local Moving (Unlicensed)
9. Frank Colclough dba Franks Delivery & Moving, San Mateo (Unlicensed)
10. Back Breaker Movers, Santa Maria (MTR 190443 Revoked)
11. Juan Ortega dba Ortega's Delivery Service, Garden Grove (Unlicensed)



12. Mark Halverstadt dba MovinMark, Martinez (Unlicensed)
13. Maria Ayala dba S & C Moving (Unlicensed)

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